

## PATENT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

United States Patent and Trademark  
Office  
(Box PCT)  
Crystal Plaza 2  
Washington, DC 20231  
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 25 August 1998 (25.08.98)	
International application No. PCT/JP97/04576	Applicant's or agent's file reference 4670ACNT
International filing date (day/month/year) 12 December 1997 (12.12.97)	Priority date (day/month/year) 13 December 1996 (13.12.96)
Applicant KAMADA, Tomihisa et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:  
03 July 1998 (03.07.98)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was  
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

Sean Taylor

Telephone No.: (41-22) 338.83.38

Form PCT/IB/331 (July 1992)

2200443

## PATENT COOPERATION TREATY

PCT

NOTIFICATION OF THE RECORDING  
OF A CHANGE(PCT Rule 92bis.1 and  
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

YAMANO, Mutsuhiko  
Sumino-Fujisawa Room 701  
518, Fujisawa  
Fujisawa-shi  
Kanagawa 251-0052  
JAPON

Date of mailing (day/month/year)

29 June 1998 (29.06.98)

Applicant's or agent's file reference

4670ACNT

## IMPORTANT NOTIFICATION

International application No.

PCT/JP97/04576

International filing date (day/month/year)

12 December 1997 (12.12.97)

1. The following indications appeared on record concerning:

☐ the applicant ☐ the inventor ☒ the agent ☐ the common representative

Name and Address

YAMANO, Mutsuhiko  
Room 109, Mezon-do-Sanku  
10-5, Honkugenuma 2-chome  
Fujisawa-shi  
Kanagawa 251  
Japan

State of Nationality

State of Residence

Telephone No.

0466-28-6817

Facsimile No.

0466-28-8421

Teleprinter No.

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☐ the person ☐ the name ☒ the address ☐ the nationality ☐ the residence

Name and Address

YAMANO, Mutsuhiko  
Sumino-Fujisawa Room 701  
518, Fujisawa  
Fujisawa-shi  
Kanagawa 251-0052  
Japan

State of Nationality

State of Residence

Telephone No.

Facsimile No.

Teleprinter No.

3. Further observations, if necessary:

4. A copy of this notification has been sent to:

☒ the receiving Office ☒ the designated Offices concerned  
☐ the International Searching Authority ☐ the elected Offices concerned  
☐ the International Preliminary Examining Authority ☐ other:The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

K. Takeda

Telephone No.: (41-22) 338.83.38

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Applicant's or agent's file reference: 4670ACNT  
International application No.: PCT/JP97/04576  
International filing date (day/month/year): 12.12.97  
Priority date (day/month/year): 13.12.96  
International Classification: Int. CL<sup>6</sup> H04N17/00  
Applicant: Access Co., Ltd.

Date of submission of the demand: 03.07.98  
Date of completion of this report: 20.01.99

## I. Basis of the report

1. This report has been drawn on the basis of:  
International application documents as originally filed.

V. Reasoned statement under Article 35 (2) with respect to novelty, inventive step or industrial applicability; citations and explanations supporting such statement:

## 1. STATEMENT:

Novelty (N)	Claims 1-11	YES
Inventive step (IS)	Claims 1-11	YES
Industrial Applicability (IA)	Claims 1-11	YES

## 2. CITATIONS AND EXPLANATIONS (PCT rule 70.7):

None of the documents cited in the international search report and the written opinion suggests the obtaining of IDs of programs that were viewed, by comparing the audience data with the TV program table data.

Express Mail #EL260123912US

09/319649

510 Rec'd PCT/PTO 10 JUN 1999

ENGLISH TRANSLATION

WRITTEN OPINION (PCT rule 66)

from the International Preliminary Examination Authority

Mailing date 06.10.98

Applicant's or agent's file reference: 4670ACNT

International application No.: PCT/JP97/04576

International filing date (day/month/year): 12.12.97

Priority date (day/month/year): 13.12.96

International Classification: Int. CL<sup>6</sup> H04N17/00

Applicant: Access Co., Ltd.

I. Basis of the written opinion

1. This written opinion has been drawn on the basis of:  
the international application as originally filed.

V. Reasoned statement under PCT rule 66.2(a)(ii) with respect to novelty, inventive step or industrial applicability; citations and explanations supporting such opinion:

1. STATEMENT:

Novelty (N)	Claims 1-11	YES
Inventive step (IS)	Claims 1-11	NO
Industrial Applicability (IA)	Claims 1-11	YES

2. CITATIONS AND EXPLANATIONS:

Claims 1-11 lack inventive step in view of Document 1 cited in the internal search report, WO, 95/12278, A1 (A. C. Nielsen Company), May 4, 1995 (04.05.95) and Document 2, JP, 6-261318, A (Nippon Telegraph and Telephone Corporation), Sep. 16, 1994 (16.09.94). It was easily made to identify program IDs on a terminal side, because distribution of video programs is a general technical trend in the art as disclosed in Document 2.

The ignoring of short-term views is well-known as taught in Document 3 cited in the internal search report, JP, 5-14215,

ENGLISH TRANSLATION

A (Matsushita Electric Industrial Co., Ltd.), Jan. 22, 1993, (22. 01.93), and the Internet is well-known as means for communication without need to raise any evidence.

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NOTICE INFORMING THE APPLICANT OF THE  
COMMUNICATION OF THE INTERNATIONAL  
APPLICATION TO THE DESIGNATED OFFICES

(PCT Rule 47.1(c), first sentence)

From the INTERNATIONAL BUREAU

To:

YAMANO, Mutsuhiko  
Room 109, Mezon-do-Sanku  
10-5, Honkugenuma 2-chome  
Fujisawa-shi  
Kanagawa 251  
JAPON

RECEIVED

JUL 01 1998

YAMANO  
&  
ASSOCIATES

Date of mailing (day/month/year)

18 June 1998 (18.06.98)

Applicant's or agent's file reference

4670ACNT

## IMPORTANT NOTICE

International application No.

PCT/JP97/04576

International filing date (day/month/year)

12 December 1997 (12.12.97)

Priority date (day/month/year)

13 December 1996 (13.12.96)

Applicant

ACCESS CO., LTD. et al

1. Notice is hereby given that the International Bureau has communicated, as provided in Article 20, the international application to the following designated Offices on the date indicated above as the date of mailing of this Notice:

AU,BR,CA,CN,EP,JP,KR,US

In accordance with Rule 47.1(c), third sentence, those Offices will accept the present Notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

2. The following designated Offices have waived the requirement for such a communication at this time:

AP,EA,OA,SG

The communication will be made to those Offices only upon their request. Furthermore, those Offices do not require the applicant to furnish a copy of the international application (Rule 49.1(a-bis)).

3. Enclosed with this Notice is a copy of the international application as published by the International Bureau on 18 June 1998 (18.06.98) under No. WO 98/26608

## REMINDER REGARDING CHAPTER II (Article 31(2)(a) and Rule 54.2)

If the applicant wishes to postpone entry into the national phase until 30 months (or later in some Offices) from the priority date, a demand for international preliminary examination must be filed with the competent International Preliminary Examining Authority before the expiration of 19 months from the priority date.

It is the applicant's sole responsibility to monitor the 19-month time limit.

Note that only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination.

## REMINDER REGARDING ENTRY INTO THE NATIONAL PHASE (Article 22 or 39(1))

If the applicant wishes to proceed with the international application in the national phase, he must, within 20 months or 30 months, or later in some Offices, perform the acts referred to therein before each designated or elected Office.

For further important information on the time limits and acts to be performed for entering the national phase, see the Annex to Form PCT/IB/301 (Notification of Receipt of Record Copy) and Volume II of the PCT Applicant's Guide.

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No. (41-22) 740.14.35

Authorized officer

J. Zahra

Telephone No. (41-22) 338.83.38

Express Mail # EL260123 912 US

**NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF  
THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES**

<b>Date of mailing (day/month/year)</b> 18 June 1998 (18.06.98)	<b>IMPORTANT NOTICE</b>
<b>Applicant's or agent's file reference</b> 4670ACNT	<b>International application No.</b> PCT/JP97/04576
<p>The applicant is hereby notified that, at the time of establishment of this Notice, the time limit under Rule 46.1 for making amendments under Article 19 has not yet expired and the International Bureau had received neither such amendments nor a declaration that the applicant does not wish to make amendments.</p>	

EP



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特 許 協 力 条 約

## 国際調査報告

(法8条、法施行規則第40、41条)  
[PCT18条、PCT規則43、44]

出願人又は代理人 の書類記号 4670ACNT	今後の手続きについては、国際調査報告の送付通知様式(PCT/ISA/220)及び下記5を参照すること。	
国際出願番号 PCT/J P 97/04576	国際出願日 (日.月.年) 12. 12. 97	優先日 (日.月.年) 13. 12. 96
出願人(氏名又は名称) 株式会社アクセス		

国際調査機関が作成したこの国際調査報告を法施行規則第41条(PCT18条)の規定に従い出願人に送付する。  
この写しは国際事務局にも送付される。

この国際調査報告は、全部で 2 ページである。

☐ この調査報告に引用された先行技術文献の写しも添付されている。

1. ☐ 請求の範囲の一部の調査ができない(第I欄参照)。

2. ☐ 発明の単一性が欠如している(第II欄参照)。

3. ☐ この国際出願は、ヌクレオチド及び/又はアミノ酸配列リストを含んでおり、次の配列リストに基づき国際調査を行った。

☐ この国際出願と共に提出されたもの

☐ 出願人がこの国際出願とは別に提出したもの

☐ しかし、出願時の国際出願の開示の範囲を越える事項を含まない旨を記載した書面が添付されていない

☐ この国際調査機関が書換えたもの

4. 発明の名称は ☒ 出願人が提出したものを承認する。

☐ 次に示すように国際調査機関が作成した。

5. 要約は ☒ 出願人が提出したものを承認する。

☐ 第III欄に示されているように、法施行規則第47条(PCT規則38.2(b))の規定により国際調査機関が作成した。出願人は、この国際調査報告の発送の日から1カ月以内にこの国際調査機関に意見を提出することができる。

6. 要約書とともに公表される図は、  
第 1 図とする。 ☒ 出願人が示したとおりである。

☐ なし

☐ 出願人は図を示さなかった。

☐ 本図は発明の特徴を一層よく表している。



7T  
Translation  
09/319649  
27 27 11

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

#5  
J. Douglas  
3/6/00

Applicant's or agent's file reference 4670ACNT	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP97/04576	International filing date (day/month/year) 12 December 1997 (12.12.1997)	Priority date (day/month/year) 13 December 1996 (13.12.1996)
International Patent Classification (IPC) or national classification and IPC H04N 17/00		
Applicant ACCESS CO., LTD.		

RECEIVED  
MAR - 3 2000  
TECH CENTER 2160

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 3 sheets, including this cover sheet.  
  
☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  
  
These annexes consist of a total of \_\_\_\_\_ sheets.
- This report contains indications relating to the following items:
  - ☒ Basis of the report
  - ☐ Priority
  - ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - ☐ Lack of unity of invention
  - ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - ☐ Certain documents cited
  - ☐ Certain defects in the international application
  - ☐ Certain observations on the international application

Date of submission of the demand 03 July 1998 (03.07.1998)	Date of completion of this report 20 January 1999 (20.01.1999)
Name and mailing address of the IPEA/JP Japanese Patent Office, 4-3 Kasumigaseki 3-chome Chiyoda-ku, Tokyo 100-8915, Japan Facsimile No.	Authorized officer  Telephone No. (81-3) 3581 1101

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP97/04576

**I. Basis of the report****1. With regard to the elements of the international application:\***

- ☒ the international application as originally filed
- ☐ the description:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the claims:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, as amended (together with any statement under Article 19  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the drawings:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

**2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.**

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:**

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

**4. ☐ The amendments have resulted in the cancellation of:**

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

**5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\***

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP97/04576

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims	1-11	YES
	Claims		NO
Inventive step (IS)	Claims	1-11	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-11	YES
	Claims		NO

### 2. Citations and explanations

The idea of obtaining the ID of a watched program by comparing audience data with TV program table data is not suggested by any of the documents cited in either the ISR or the written opinion.

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## 国際予備審査報告

(法第12条、法施行規則第56条)  
[PCT36条及びPCT規則70]

REC'D 05 FEB 1999

WIPO PCT

出願人又は代理人 の書類記号 4670ACNT	今後の手続きについては、国際予備審査報告の送付通知（様式PCT/ IPEA/416）を参照すること。	
国際出願番号 PCT/J P 97/04576	国際出願日 (日.月.年) 12.12.97	優先日 (日.月.年) 13.12.96
国際特許分類 (IPC) Int cl <sup>6</sup> H04N17/00		
出願人 (氏名又は名称) 株式会社アクセス		

1. 国際予備審査機関が作成したこの国際予備審査報告を法施行規則第57条 (PCT36条) の規定に従い送付する。
2. この国際予備審査報告は、この表紙を含めて全部で 3 ページからなる。
- ☐ この国際予備審査報告には、附属書類、つまり補正されて、この報告の基礎とされた及び/又はこの国際予備審査機関に対してした訂正を含む明細書、請求の範囲及び/又は図面も添付されている。  
(PCT規則70.16及びPCT実施細則第607号参照)  
この附属書類は、全部で                      ページである。

3. この国際予備審査報告は、次の内容を含む。

- I ☒ 国際予備審査報告の基礎
- II ☐ 優先権
- III ☐ 新規性、進歩性又は産業上の利用可能性についての国際予備審査報告の不作成
- IV ☐ 発明の単一性の欠如
- V ☒ PCT35条(2)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- VI ☐ ある種の引用文献
- VII ☐ 国際出願の不備
- VIII ☐ 国際出願に対する意見

国際予備審査の請求書を受理した日 03.07.98	国際予備審査報告を作成した日 20.01.99	
名称及びあて先 日本国特許庁 (IPEA/J P) 郵便番号100-8915 東京都千代田区霞が関三丁目4番3号	特許庁審査官 (権限のある職員) 山崎達也 電話番号 03-3581-1101 内線 3541	5C 8121

## I. 国際予備審査報告の基礎

1. この国際予備審査報告は下記の出願書類に基づいて作成された。(法第6条(PCT14条)の規定に基づく命令に  
応答するために提出された差し替え用紙は、この報告書において「出願時」とし、本報告書には添付しない。  
PCT規則70.16, 70.17)

☒ 出願時の国際出願書類

☐ 明細書 第 \_\_\_\_\_ ページ、 出願時に提出されたもの  
明細書 第 \_\_\_\_\_ ページ、 国際予備審査の請求書と共に提出されたもの  
明細書 第 \_\_\_\_\_ ページ、 \_\_\_\_\_ 付の書簡と共に提出されたもの

☐ 請求の範囲 第 \_\_\_\_\_ 項、 出願時に提出されたもの  
請求の範囲 第 \_\_\_\_\_ 項、 PCT19条の規定に基づき補正されたもの  
請求の範囲 第 \_\_\_\_\_ 項、 国際予備審査の請求書と共に提出されたもの  
請求の範囲 第 \_\_\_\_\_ 項、 \_\_\_\_\_ 付の書簡と共に提出されたもの

☐ 図面 第 \_\_\_\_\_ ページ/図、 出願時に提出されたもの  
図面 第 \_\_\_\_\_ ページ/図、 国際予備審査の請求書と共に提出されたもの  
図面 第 \_\_\_\_\_ ページ/図、 \_\_\_\_\_ 付の書簡と共に提出されたもの

☐ 明細書の配列表の部分 第 \_\_\_\_\_ ページ、 出願時に提出されたもの  
明細書の配列表の部分 第 \_\_\_\_\_ ページ、 国際予備審査の請求書と共に提出されたもの  
明細書の配列表の部分 第 \_\_\_\_\_ ページ、 \_\_\_\_\_ 付の書簡と共に提出されたもの

2. 上記の出願書類の言語は、下記に示す場合を除くほか、この国際出願の言語である。

上記の書類は、下記の言語である \_\_\_\_\_ 語である。

- ☐ 国際調査のために提出されたPCT規則23.1(b)という翻訳文の言語  
☐ PCT規則48.3(b)という国際公開の言語  
☐ 国際予備審査のために提出されたPCT規則55.2または55.3という翻訳文の言語

3. この国際出願は、ヌクレオチド又はアミノ酸配列を含んでおり、次の配列表に基づき国際予備審査報告を行った。

- ☐ この国際出願に含まれる書面による配列表  
☐ この国際出願と共に提出されたフレキシブルディスクによる配列表  
☐ 出願後に、この国際予備審査(または調査)機関に提出された書面による配列表  
☐ 出願後に、この国際予備審査(または調査)機関に提出されたフレキシブルディスクによる配列表  
☐ 出願後に提出した書面による配列表が出願時における国際出願の開示の範囲を超える事項を含まない旨の陳述書の提出があった  
☐ 書面による配列表に記載した配列とフレキシブルディスクによる配列表に記録した配列が同一である旨の陳述書の提出があった。

4. 補正により、下記の書類が削除された。

☐ 明細書 第 \_\_\_\_\_ ページ  
☐ 請求の範囲 第 \_\_\_\_\_ 項  
☐ 図面 図面の第 \_\_\_\_\_ ページ/図

5. ☐ この国際予備審査報告は、補充欄に示したように、補正が出願時における開示の範囲を越えてされたものと認められるので、その補正がされなかったものとして作成した。(PCT規則70.2(c) この補正を含む差し替え用紙は上記1.における判断の際に考慮しなければならず、本報告に添付する。)

## V. 新規性、進歩性又は産業上の利用可能性についての法第12条(PCT35条(2))に定める見解、それを裏付ける文献及び説明

## 1. 見解

新規性(N)

請求の範囲

1-11

有

請求の範囲

無

進歩性(IS)

請求の範囲

1-11

有

請求の範囲

無

産業上の利用可能性(IA)

請求の範囲

1-11

有

請求の範囲

無

## 2. 文献及び説明(PCT規則70.7)

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